

**REMARKS/ARGUMENTS**

Claims 1, 8-17, 20, and 24-42 were pending in this application. Claims 1 and 17 have been amended. No claims have been added or canceled. Hence, claims 1, 8-17, 20, and 24-42 remain pending. Reconsideration of the subject application as amended is respectfully requested.

Claims 1, 8-17, 20, 24-33, 35-38 and 40-42 stand rejected under 35 U.S.C. § 102(e) as being anticipated by the cited portions of U.S. Patent No. 6,233,448 to Alperovich, *et al.* (hereinafter "Alperovich").

Claims 34 and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Alperovich, in view of the cited portions of U.S. Patent No. 6,577,857 to Rodrigues, *et al.* (hereinafter "Rodrigues").

Claims 1 and 17 have been amended to more particularly point out and distinctly claim the Applicant's claimed invention.

**Claim Rejections Under 35 U.S.C. § 102(e)**

The Applicants respectfully traverse the rejection of all pending claims rejected under 35 U.S.C. § 102(e), since the cited reference(s) not cited reference teaches or suggests all the claim limitations, either expressly or inherently, as required for a proper rejection under 35 U.S.C. § 102. Specifically, claim 1, prior to the amendment herein, recited a "dynamic geographic area." Alperovich does not teach this. Alperovich appears to teach multiple static locations (e.g., the subscriber's office or a restaurant that the subscriber frequents). But this is not the same as a dynamic geographic area. Hence, the applicants believe claim 1 was allowable prior to the amendments herein. In an effort to advance the case to allowance, however, the applicants have amended claim 1 to conclusively avoid the cited references.

Claim 1 now recites, "wherein the specification defines a geographic region having a predetermined radius from a current location of the subscriber that changes dynamically as the current location changes." This clearly avoids the multiple static area teachings of Alperovich. Hence, claim 1 is believed to be allowable, at least for this reason. Moreover, claim

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17, as amended, includes a similar limitation and is believed to be allowable, at least for this reason. The remaining claims depend from either claim 1 or claim 17, and are believed to be allowable, at least for the reason stated above.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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